

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

In re:	§	
	§	
ANDRADE, MARCUS STEVEN	§	Case No. 12-40011 BTR
	§	
Debtor	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 13 of the United States Bankruptcy Code was filed on 01/02/2012 . The case was converted to one under Chapter 7 on 02/29/2012 . The undersigned trustee was appointed on 02/29/2012 .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.
4. The trustee realized gross receipts of \$ 75,000.00  

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	37,924.13
Bank service fees	13.15
Other payments to creditors	0.00
Non-estate funds paid to 3 <sup>rd</sup> Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00
Leaving a balance on hand of <sup>1</sup>	\$ 37,062.72

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 05/28/2014 and the deadline for filing governmental claims was 08/26/2014 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ 7,000.00 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ 0.00 as interim compensation and now requests a sum of \$ 7,000.00 , for a total compensation of \$ 7,000.00 <sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 686.53 , for total expenses of \$ 686.53 <sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 01/05/2016 By: /s/Mark A. Weisbart  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1  
**Exhibit A**

Case No: 12-40011 BTR Judge: BRENDA T. RHOADES  
Case Name: ANDRADE, MARCUS STEVEN

Trustee Name: Mark A. Weisbart  
Date Filed (f) or Converted (c): 02/29/12 (c)  
341(a) Meeting Date: 03/23/12  
Claims Bar Date: 05/28/14

For Period Ending: 01/05/16

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 1426 Shetland Dr. Allen, TX 75013	208,623.00	0.00		0.00	FA
2. Cash	20.00	0.00		0.00	FA
3. Compass Bank Checking 3236	300.00	0.00		0.00	FA
4. Compass Bank Checking 5092	700.00	0.00		0.00	FA
5. Household Goods	1,455.00	0.00		0.00	FA
6. Books, Family Pictures, CD's and DVD's	40.00	0.00		0.00	FA
7. Clothes	350.00	0.00		0.00	FA
8. 12 Ga Shot Gun and Camera	75.00	0.00		0.00	FA
9. Drum Set	250.00	0.00		0.00	FA
10. Mountain Bike	200.00	0.00		0.00	FA
11. Andrade SC, LLC	0.00	0.00		0.00	FA
12. 2004 SAAB 93	990.00	0.00		0.00	FA
13. Office Furniture	100.00	0.00		0.00	FA
14. 1 Dog	50.00	0.00		0.00	FA
15. Andrade v. Seterus Lawsuit (u) BAC Home Loan Servicing \$48,000.00 Seterus, Inc. \$27,000 .00	0.00	75,000.00		75,000.00	FA

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$213,153.00	\$75,000.00	\$75,000.00	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 12/31/14      Current Projected Date of Final Report (TFR): 12/31/15

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1  
**Exhibit B**

Case No: 12-40011 -BTR  
Case Name: ANDRADE, MARCUS STEVEN

Trustee Name: Mark A. Weisbart  
Bank Name: First National Bank of Vinita  
Account Number / CD #: \*\*\*\*\*2892 Checking Account (Non-Interest Earn)

Taxpayer ID No: \*\*\*\*\*9806  
For Period Ending: 01/05/16

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
03/24/15	15	Bank of America Corp	BALANCE FORWARD Partial Settlement of Lawsuit BAC Home Loan Servicing settlement portion is \$48,000.00	1249-000	48,000.00		0.00 48,000.00
04/07/15		First National Bank of Vinita	BANK SERVICE FEE	2600-000		13.15	47,986.85
04/09/15	15	Mackie Wolf Zientz & Mann PC	Partial Settlement of Lawsuit	1249-000	27,000.00		74,986.85
06/01/15	010001	Caleb Moore 2205 Martin Drive, Suite 200 Bedford, Texas 76021	Attorney Fees	3210-000		7,500.00	67,486.85
06/19/15	010002	Larry Levick Singer & Levick, P.C. 16200 Addison Rd, Suite 140 Addison, TX 75001	Attorney for Trustee Fees/Expenses			30,424.13	37,062.72
			Fees 30,000.00	3210-600			
			Expenses 424.13	3220-610			

COLUMN TOTALS	75,000.00	37,937.28	37,062.72
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	75,000.00	37,937.28	
Less: Payments to Debtors		0.00	
Net	75,000.00	37,937.28	

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking Account (Non-Interest Earn - *****2892)	75,000.00	37,937.28	37,062.72
	75,000.00	37,937.28	37,062.72
	(Excludes Account Transfers)	(Excludes Payments To Debtors)	Total Funds On Hand

Page Subtotals 75,000.00 37,937.28

**FORM 2**

**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 2  
**Exhibit B**

Case No: 12-40011 -BTR  
Case Name: ANDRADE, MARCUS STEVEN

Trustee Name: Mark A. Weisbart  
Bank Name: First National Bank of Vinita  
Account Number / CD #: \*\*\*\*\*2892 Checking Account (Non-Interest Earn)

Taxpayer ID No: \*\*\*\*\*9806  
For Period Ending: 01/05/16

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)

Checking Account (Non-Interest Earn - \*\*\*\*\*2892

Page Subtotals 0.00 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: January 05, 2016

Case Number: 12-40011  
Debtor Name: ANDRADE, MARCUS STEVEN

Priority Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
001 3210-60	Larry Levick Singer & Levick, P.C. 16200 Addison Rd, Suite 140 Addison, TX 75001	Administrative		\$0.00	\$30,424.13	\$30,424.13
001 3110-00	Mark A. Weisbart 12770 Coit Road, Suite 541 Dallas, TX 75251	Administrative		\$0.00	\$4,811.50	\$4,811.50
001 3210-00	Caleb Moore 2205 Martin Drive, Suite 200 Bedford, Texas 76021	Administrative		\$0.00	\$7,500.00	\$7,500.00
000003A 040 5800-00	Internal Revenue Service PO Box 7317 Philadelphia, PA 19101-7317	Priority		\$0.00	\$54,363.54	\$54,363.54
000001 070 7100-00	Midland Credit Management, Inc. 8875 Aero Drive, Suite 200 San Diego, CA 92123	Unsecured		\$292.00	\$291.91	\$291.91
000002 070 7100-00	TARGET NATIONAL BANK C/O WEINSTEIN AND RILEY, PS PO BOX 3978 SEATTLE, WA 98124-3978	Unsecured		\$1,374.00	\$1,374.25	\$1,374.25
000003B 070 7100-00	Internal Revenue Service PO Box 7317 Philadelphia, PA 19101-7317	Unsecured		\$0.00	\$24,921.04	\$24,921.04
000004 070 7100-00	Asset Acceptance LLC assignee CHASE BANK/ FIRST USA PO Box 2036 Warren MI 48090	Unsecured		\$0.00	\$30,127.43	\$30,127.43
000005 070 7100-00	Credit One LLC PO Box 625 Metairie, LA 70004-0625	Unsecured		\$3,870.00	\$3,870.05	\$3,870.05
000006 070 7100-00	Credit One LLC PO Box 625 Metairie, LA 70004-0625	Unsecured		\$4,858.00	\$4,858.70	\$4,858.70
000007 070 7100-00	Law Firm of Caleb Moore, PLLC 2205 Martin Drive, Ste. 200 Bedford, TX 76021	Unsecured		\$0.00	\$40,000.00	\$40,000.00
Case Totals:				\$10,394.00	\$202,542.55	\$202,542.55

Code #: Trustee's Claim Number, Priority Code, Claim Type

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 12-40011 BTR

Case Name: ANDRADE, MARCUS STEVEN

Trustee Name: Mark A. Weisbart

Balance on hand \$ 37,062.72

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: Mark A. Weisbart	\$ 7,000.00	\$ 0.00	\$ 7,000.00
Trustee Expenses: Mark A. Weisbart	\$ 686.53	\$ 0.00	\$ 686.53
Attorney for Trustee Fees: Mark A. Weisbart	\$ 3,344.50	\$ 0.00	\$ 3,344.50
Attorney for Trustee Expenses: Mark A. Weisbart	\$ 1,467.00	\$ 0.00	\$ 1,467.00
Other: Larry Levick	\$ 30,000.00	\$ 30,000.00	\$ 0.00
Other: Larry Levick	\$ 424.13	\$ 424.13	\$ 0.00
Other: Caleb Moore	\$ 7,500.00	\$ 7,500.00	\$ 0.00

Total to be paid for chapter 7 administrative expenses \$ 12,498.03

Remaining Balance \$ 24,564.69

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 54,363.54 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000003A	Internal Revenue Service	\$ 54,363.54	\$ 0.00	\$ 24,564.69

Total to be paid to priority creditors \$ 24,564.69

Remaining Balance \$ 0.00

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 105,443.38 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	Midland Credit Management, Inc.	\$ 291.91	\$ 0.00	\$ 0.00
000002	TARGET NATIONAL BANK	\$ 1,374.25	\$ 0.00	\$ 0.00
000004	Asset Acceptance LLC	\$ 30,127.43	\$ 0.00	\$ 0.00
000005	Credit One LLC	\$ 3,870.05	\$ 0.00	\$ 0.00
000006	Credit One LLC	\$ 4,858.70	\$ 0.00	\$ 0.00
000007	Law Firm of Caleb Moore, PLLC	\$ 40,000.00	\$ 0.00	\$ 0.00
000003B	Internal Revenue Service	\$ 24,921.04	\$ 0.00	\$ 0.00



Total to be paid to timely general unsecured creditors	\$	<u>0.00</u>
Remaining Balance	\$	<u>0.00</u>

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE